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APR 25 2017
U.S. District Court
Eastern District of MO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
____________ DIVISION

Jermaine Windham)

(Enter above the full name of the Plaintiff[s] in this action.)

- vs -

St. Louis Count Circuit Court)
St. Louis County Prosecutor's Office)
St. Louis County Police Department)
P0993561 Ryan Blay St. Louis County P.D)
P0992731 Christopher Dmerod St. Louis Co P.D)

(Enter above the full name of **ALL** Defendant[s] in this action. Fed. R. Civ. P. 10(a) requires that the caption of the complaint include the names of **all** the parties. Merely listing one party and "et al." is insufficient. Please attach additional sheets if necessary.)

P0993499 michelle ott St. Louis Co P.D

Case No. __________________
(To be assigned by Clerk of District Court)

COMPLAINT

I. State the grounds for filing this case is Federal Court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

1) Violation of Civil Rights, violation of Constitutional Rights
2) Violations of Americans With Disabities Rights
3) Violations of Articles of Due Process / Disabled Veterans Affairs
4) Violation of MO. State Statute 144.13.3
5) Racial Bias of Officers.
6) False Statement of Officers made in the report.
7) Questionable previous conduct of Officers involved.

II. Plaintiff, Jermaine Windham resides at

12705 Pine Acres Ave, Pineville, ______,
street address city county

NC, 28134, ______.
state zip code telephone number

(if more than one plaintiff, provide the same information for each plaintiff below)

III. Defendant, St. Louis County Police lives at, or its business is located at

7900 Forsyth Ave, Clayton, St. Louis,
street address city county

MO, 63105.
state zip code

(if more than one defendant, provide the same information for each defendant below)

St. Louis Co. Prosecutors office
100 South Central Avenue 2nd fl
St. Louis, MO. 63105

IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

① Officer Christopher Ormerod violated my civil rights, he stated that he personally was going to make sure that my quote "Black ignorant ass" would be prosecuted. He also lied in the police report to further his cause to see me suffer. This was an act of perjury.

② Mr. Ormerod further stated racially motivated epithets directed at me. "You are a fucking uppity ass nigger, and I know just How to deal with you." "you are one black bastard that will regret you ever crossed my path". Mr. Ormerod has had previous complaints filed against him while as an officer with St. Louis County Police.

③ Officers Ryan Blay and Michelle Otti both used excessive force, and committed perjury in the report, to further falsify the charges against me.

④ Officer Ormerod violated my due process by not redding my miranda rights, which is a failure to read the miranda rights.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Jermaine Windham,) Case no. 2015R-03544-01
v.)
St. Louis County Circuit Courts) 4/19/, 2017
St. Louis County Prosecuting Attorney Office
St. Louis County Police

MEMORANDUM FOR CLERK

(5) I was charged wrongfully with 2nd Degree Domestic Assault, This charge was incorrect for the fact, that the officers assumed that I "Recklessly caused serious physical injury. (Crimanal Law 1144.13) The victim in the report refused medical assistance when offered, in the report the officers stated that the victim was transported to the hospital, when in fact the victim was not.

(5b) Missouri State Stature used in State vs Trimmer section 3 of 1144.13 States "mere fact of victim of assault recovers without residual damage does not render proof of serious physical harm/injury insufficient in prosecution for second-degree assault. V.A.M.S. 556.061(28) 565.060 subd. 1(3)

Please circle which applies: (Pro se) (Attorney for) Plaintiff

(Pro se) (Attorney for) Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Jermaine Windham,)
) Case no.________________
v.)
St. Louis County Courts,) ________________, 20____
Office of The Prosecutor
St. Louis County / St. Louis County Police

MEMORANDUM FOR CLERK

(5c) The officers falsely reported evidence which did not support the claim of 2nd Degree Assault

6) The St. Louis County Prosecutor's office Failed to provide substantial proof of the Charge in question. The office of the prosecutor also did not grant access by the legal defense of the victims statement, the letter of the victim stating no desire to assist the prosecutors office in the proceedings, or any evidence supporting the claim of 2nd Degree assault.

7) I was not provided adequate legal counsel, which is a violation of my 6th Amendment rights, for which as a disabled veteran, and citizen I am protected under.

Please circle which applies: (Pro se) (Attorney for) Plaintiff

(Pro se) (Attorney for) Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Jermaine Windham,)
) Case no.
v.)
St. Louis County Courts,) , 20
Office of The Prosecutor St. Louis County
St. Louis County Police)

MEMORANDUM FOR CLERK

8) Violation of my due process, coercion to accept stiffer probation (S.E.S.) by prosecutors office for first time offender.

9) Violation of due process by public defender entering a plea of guilty without my consent. Mr. Draymond Foster accepted the deal given by the prosecuting attorney for guilty plea without my consent, and was replaced upon my discovery of this. I was not offered a chance to plead no contest, or any lesser probation (S.I.S) for a first time offender.

Please circle which applies: (Pro se) (Attorney for) Plaintiff

(Pro se) (Attorney for) Defendant

V. Relief: State briefly and exactly what you want the Court to do for you.

1). Expungment and or dismiss the felony charge from my record.
2) Fully restore all my rights and privileges, as a natural born citizen and veteran in service to my Country.
3) award of financial restitution, for the loss of benefits and employment opportunity which have been lost due to this issue.

VI. **MONEY DAMAGES:**

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES [X] **NO** [ ]

B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

The felony on my record has caused loss of disability benefits that I am entitled to by U.S. Dept. of V.A. Affairs, Social Security Administration and employability. The sum is $75,000 U.S. Dollars

VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES [X] **NO** [ ]

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 21 day of April, 2017

[signature]

Signature of Plaintiff(s)